

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

Allen Wright,)	
)	
Plaintiff,)	Civil Action No.: 1:11-2199-TLW-SVH
v.)	
)	
Jason Webber, <i>et al.</i>)	
)	
Defendants.)	
)	

ORDER

On August 22, 2011, the Plaintiff Allen Wright (hereinafter, “Plaintiff”), proceeding *pro se*, filed this civil action pursuant to 42 U.S.C. § 1983. (Doc. # 1). On the same date, the Plaintiff filed a first and second Motion for Preliminary Injunction and/or Protective Order. (Docs. # 3 and # 4).

The matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Shiva V. Hodges, to whom this case had previously been assigned. In the Report, the Magistrate Judge recommends that Plaintiff’s first and second motions for injunctive relief be denied. (Doc. # 40). The Plaintiff filed Objections to the Report on December 5, 2011 (Doc. # 47) and the Defendants filed a Reply to the Objections on December 6, 2011. (Doc. # 49). In conducting its review, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections...The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the Report and Recommendation to which no objections are

addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted).

In light of the standard set forth in Wallace, the Court has reviewed de novo the Report and the Objections. After careful review of the Report and the Objections thereto, the Court **ACCEPTS** the Report. (Doc. # 40). Plaintiff's first and second Motion for Preliminary Injunction and/or Protective Order are therefore **DENIED**.¹ (Docs. # 3 and # 4).

IT IS SO ORDERED.

December 7, 2011
Florence, South Carolina

s/Terry L. Wooten
United States District Judge

¹ In addition to the Objections filed by the Plaintiff, in arriving at its ruling in this case, this Court also reviewed and considered Plaintiff's November 21, 2011 Motion for Extension of Time to File Reply, which is **GRANTED** (Doc. # 45), as well as Plaintiff's December 5, 2011 Reply Memorandum. (Doc. # 48).